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GURMAN, KURTIS, BLASK & FREEDMAN

CHARTERED

SUITE 500  
1400 SIXTEENTH STREET, N.W.  
WASHINGTON, D.C. 20036

(202) 328-8200  
TELECOPIER: (202) 462-1784

LOUIS GURMAN  
MICHAEL K. KURTIS  
JEROME K. BLASK  
WILLIAM D. FREEDMAN  
DOANE F. KIECHEL  
NADJA S. SODOS \*

HERBERT C. HARRIS  
LEONARD M. GARAVALLA  
FRANK A. RONDINELLI  
JAMES C. EGYUD  
BRENT R. SHIREY  
CONSULTING ENGINEERS

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DOCKET FILE COPY ORIGINAL August 9, 1994

**HAND DELIVERY**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

William F. Caton, Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Mail Stop Code 1170  
Washington, D.C. 20554

Re: Ex Parte Communication in  
PR Docket No. 93-61

Dear Mr. Caton:

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, I am filing the original and two copies of this letter to report an ex parte communication in the above-referenced proceeding.

On August 8, 1994, on behalf of Southwestern Bell Mobile Systems, Inc. ("SBMS"), Louis Gurman of this office along with Wayne Watts, Jonathan Riso and Keith Rainer met with Rick Engelman, Roz Allen, Ed Jacobs, Marty Liebman and Ron Netro to address outstanding issues concerning a Location Monitoring Service band plan, Part 15 interference and the transition to new rules. The enclosed written comments were distributed at the meeting.

Please call me if you have any questions regarding this notice.

Respectfully submitted,

*Louis Gurman*  
Louis Gurman

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

# AVM/LMS NPRM

Comments on Proposed Rule Making

August 8, 1994

# Outline

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- ◆ Part 15
- ◆ Band Plan (4)
- ◆ Licensing Areas
- ◆ Transition Period
- ◆ Auction
- ◆ Voice Services

# Part 15

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- ◆ Agree that Part 15 status in relation to AVM/LMS should not change.
- ◆ Agree in principle with the “presumption of interference” specifications.

# Band Plan

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- ◆ Agree that there should be “exclusive” bands for wideband AVM/LMS operators.
  - Still subject to interference from, and not to interfere with, primary users in band:
    - » Industrial, Scientific, and Medical Users, and
    - » Federal Government Location Systems.
  - Still allows other non-interfering users in band:
    - » Part 15, and
    - » Amateur Radio.

# Band Plan (cont.)

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- ◆ “Exclusive” allocations should be smaller.
  - Six MHz is too large for all existing systems.
    - » AirTouch:
      - ◆ Needs a wideband of 3.87 MHz for location.
      - ◆ Wants more as buffer for unused side lobe emissions.
    - » MobileVision:
      - ◆ Needs a wideband of 4 MHz for location.
      - ◆ Wants more for extensive voice and data channels.
  - Additional bandwidth is not required for improving capacity, accuracy, or interference rejection.

# Band Plan (cont.)

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- ◆ There should be more than two wideband AVM/LMS bands per area.
  - Having only two licenses in each area:
    - » discourages new service providers nationwide.
    - » restricts competition within each area.
    - » requires removal of at least one licensed and built system in Chicago.
  - A third or fourth service provider would add:
    - » competition in price, coverage, and service innovation.

# Band Plan (cont.)

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- ◆ Spectrum should be allocated for forward links.
  - Suggest as far from wideband frequencies as practical.
  - Suggest a minimum of 250 KHz per AVM/LMS system.
  
- ◆ Forward link allocations should be “exclusive” of other AVM/LMS users.
  - As “exclusive” as the wideband.



# Licensing Areas

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- ◆ Prefer licensing MSAs and RSAs.
- ◆ Licensing BTAs also workable.
  - More manageable system construction.
  - Build out rules must be specific.
- ◆ MTAs are too large for licensing areas.
  - Will require loose build out requirements.
  - Will require long build out periods.
  - Will encourage fallow spectrum.

# Transition Period

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- ◆ All existing unbuilt licenses must be cancelled immediately upon the effective date of the Order.
  - Must end current spectrum hoarding.
    - » AirTouch has 240+ licenses, many for several years, but built only 6 commercial systems.
    - » MobileVision has 150+ licenses but built only 3 skeletal systems and no commercial systems.
    - » Uniplex has 40+ licenses but built none.
    - » Pinpoint has many licenses but built none.
  - Hundreds of prime licenses will not expire for years.
  - Waiting for licenses to expire reduces spectrum value.

# Auction

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- ◆ Auctioning is acceptable only if proper procedures are established.
  - Auctioning requires a very short transition period for existing systems and none for unbuilt systems.
    - » A short transition will add value to the spectrum at the auction.
    - » Auction winner deserves clean spectrum, since winner will be paying for it.

# Voice Services

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- ◆ What will be the permissible use of voice?
  - Suggest keeping voice a truly ancillary function.
  - Suggest restricting communication to a channel between the mobile unit and a single point of contact, such as an emergency response team.
  - Suggest prohibiting direct access to the Public Switched Telephone Network.
- ◆ Allowing extensive voice may diminish the value of the narrowband and wideband PCS licenses.